



Transportation Concurrency Analysis State-Owned Facilities

Oversight Committee Meeting 1

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What is the Analysis Request?

SSB 6241 – 2006 Supplemental Transportation Budget Proviso

To conduct an analysis of expanding the transportation concurrency requirements prescribed under the growth management act...to include development impacts on level of service standards applicable to state-owned transportation facilities, including state highways and state ferry routes. The objective of the analysis is to determine how to ensure that jurisdictional divisions do not defeat growth management act concurrency goals.

Do we want to meet the Growth Management Act goal of concurrency for state-owned transportation facilities?

Analysis Objective

“The objective of the analysis is to determine how to ensure that jurisdictional divisions do not defeat growth management act concurrency goals.”

Our Approach to the Analysis

- Current law – the Growth Management Act
 - The concurrency goal
 - The transportation concurrency requirement
 - Local planning requirements for state-owned facilities
 - Regional coordination and consistency
- Current practice
 - How local jurisdictions address state-owned transportation facilities
 - How regional transportation planning organizations check for regional consistency
 - How the state participates in the local land use process
 - What are the results of current practices
- Recommendations and Considerations

What Led to the Analysis Request?

- SB 6268 introduced in 2006 to expand concurrency to state-owned facilities
- Testimony received recommended further study of the issue:
 - Extremely complex subject that needs to be studied
 - Needs funding strategies
 - Problems with identifying which levels of service apply to a jurisdiction
 - Methods and resources haven't been analyzed
 - May force moratoriums and cause sprawl
 - Consider using existing SEPA mitigation to fund transportation and strengthening coordination and planning requirements

SENATE BILL 6268

State of Washington 59th Legislature 2006 Regular Session

By Senators Kastama, Pridemore and Kline

Read first time 01/10/2006. Referred to Committee on Government Operations & Elections.

(excerpted)

b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally-owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan or causes the level of service on a state-owned transportation facility to decline below the standards for state highways and state ferry routes, as prescribed in chapters 47.06 and 47.80 RCW, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6) "concurrent with the development" shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. Included among the concurrency requirements of this subsection (6)(b) are transportation facilities and services of statewide significance for counties consisting of islands whose only connection to the mainland are state highways or ferry routes whose capacity must be a factor in meeting the concurrency requirements of this subsection (6)(b).

Concurrency Milestones

1990	Growth Management Act	Created state framework for local comprehensive planning and land use regulation.
1994	SHB 1928	Required Legislative Transportation Committee to coordinate a study of the relationship between state transportation facilities and local comprehensive plans
1998	HB 1487 (Level of Service Bill)	Clarified that the state establishes the level of service for transportation facilities and services of statewide significance and exempting these facilities from the concurrency requirement (except in the island counties).
2002-03	Assessing the Effectiveness of Concurrency	A three-phase investigative work program by the Puget Sound Regional Council of the effectiveness of concurrency practices of local governments in the central Puget Sound region.
2003	Eastside Transportation Concurrency Project	Cooperative study of Bellevue, Kirkland, Issaquah, and Redmond funded by the 2001 Legislature to assess concurrency approaches and recommend changes to state and local laws to improve the effectiveness of concurrency.
2005	2SHB 1565	Required RTPOs to address concurrency for regional growth centers, added multimodal strategies to concurrency mitigation options, and commissioned the multimodal concurrency study (in progress).
2006	Regional Transportation Concurrency System in Spokane: A Feasibility Study	An in-progress evaluation of the advantages and disadvantages of implementing a regional transportation concurrency system in Spokane County.

What is the Rationale for Concurrency?

- Encourage land use patterns that allow infrastructure to be provided in an efficient manner
- Provide appropriate infrastructure at the time of new development
- Prevent new development from degrading locally agreed upon service standards for current users of existing infrastructure

Current Law

The Growth Management Act (GMA)

- Policy framework for
 - Local comprehensive planning
 - land use regulation
- Applies differently
 - 29 Counties fully plan
 - 218 Cities fully plan
- Locally-driven process
- Requires balancing 14 goals



14 Goals of the GMA (RCW 36.70A.020)

- Encourage development in urban areas
- Reduce sprawl
- Encourage multimodal transportation systems
- Encourage affordable housing
- Encourage sustainable economic development
- Protect private property rights
- Timely and fair permit processing
- Conserve and protect natural resource lands
- Retain open space and enhance recreation
- Protect the environment
- Encourage citizen participation and inter-jurisdictional coordination
- **Ensure concurrency**
- Encourage historic preservation
- Protect shorelines

The Concurrency Goal:

Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing service levels below locally established minimum standards.

RCW 36.70A.020(12)

The GMA Concurrency Goal

In addition to transportation facilities and services, the concurrency goal applies to all public facilities locally determined as necessary to support development, for example:

- sewer
- water
- parks and recreational facilities
- schools

“What the GMA’s concurrency principle guarantees is ‘truth in planning’. That is: local governments must disclose the amount and quality of the services they will provide, how and where they will be provided, how much they will cost, and how they will be funded.”

(BACC. v. Clark County. 11/23/05. 04-2-0038c WWGMHB)

GMA Transportation Concurrency

Step One: Adopt level of service standards in local comprehensive plans for locally owned arterials and transit routes

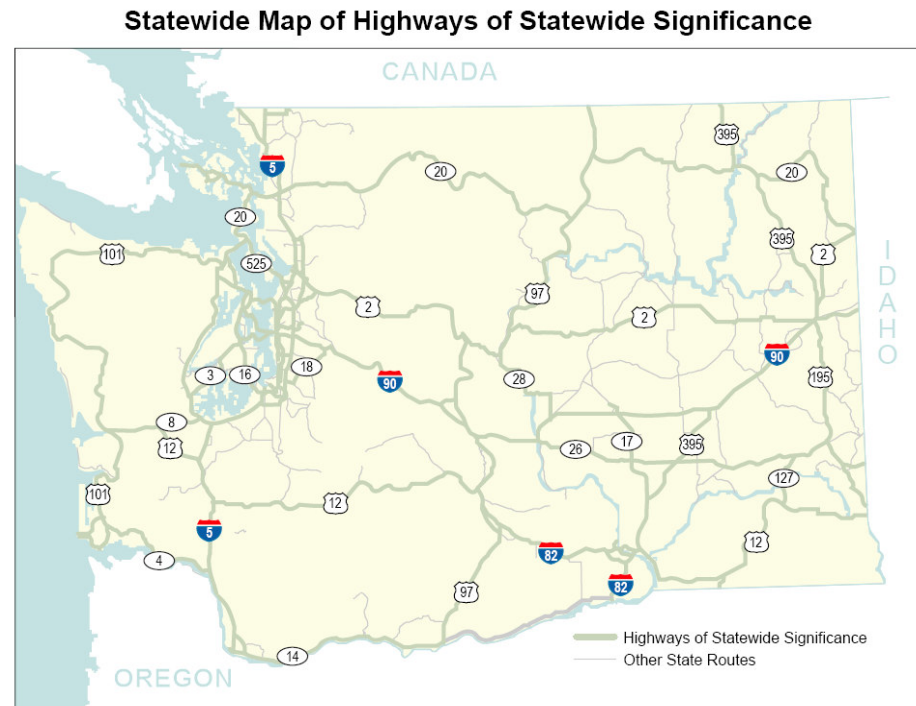
Step Two: Adopt and enforce ordinances which prohibit development approval if it causes the levels of service to decline below the standard, unless the impacts of development are concurrently accommodated through transportation improvements (e.g. roadway improvements), or strategies (e.g. public transit, ride-sharing, demand management)

Step Three: Respond to developments that exceed the standard by

- Providing improvements to public facilities and services that accommodate the growth
- Changing the phasing or timing of new development
- Reducing the minimum standards
- Revising the land use element

Transportation Concurrency and State-Owned Facilities

- Transportation facilities and services of statewide significance (including highways of statewide significance) are exempted from the concurrency requirement (except in island counties)
- The law is silent on state-owned transportation facilities that are not of statewide significance
- Local governments must include in their plans:
 - an inventory of state-owned transportation facilities within their boundaries
 - an estimate of traffic impacts to state-owned facilities resulting from their land use assumptions
 - level of service standards for state-owned highways, and
 - a list of state transportation system improvements needed to meet demand



Concurrency and Level of Service Authority Varies by Facility Type

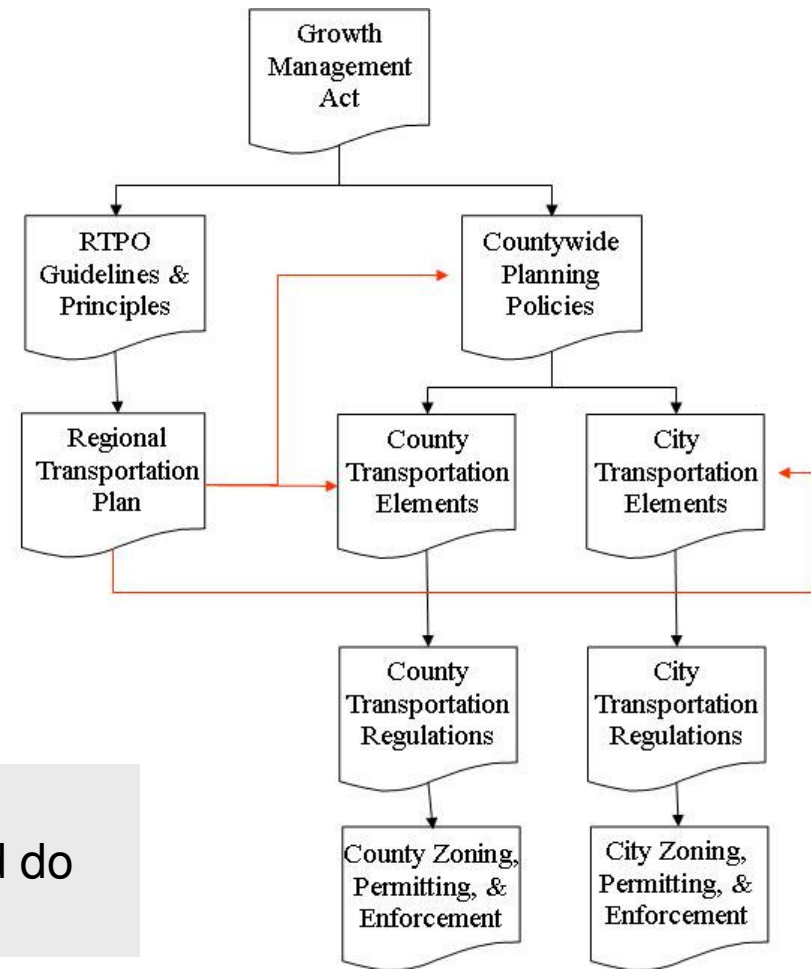
Facility	Level of Service *	Concurrency
Local <i>Transportation Systems</i>	LOS identified and set by locals through the local (GMA) planning process.	Concurrency required under GMA for local transportation facilities.
Regional <i>State Highways and Ferries</i>	LOS set through a coordinated process (RTPO) with state, regional, and local input.	Concurrency requirement does not address state-owned transportation facilities other than HSS .
State <i>Highways of statewide significance. (HSS)</i>	LOS set by state in consultation with locals. (State has final authority to establish LOS on HSS.)	Concurrency requirements of GMA do not apply to transportation facilities and services of statewide significance. (Exception Noted Below)
Exception: Island Counties	LOS established as identified above for local, regional, and HSS.	Concurrency required for HSS. State highways and ferry route capacity must be a factor in meeting the concurrency requirements in island counties.

* Level of service **or** alternative transportation performance measures as identified in RCW 47.80.023

The GMA Requires Transportation Concurrency to be Coordinated and Consistent

What are the mechanisms to ensure cross-consistency?

- Countywide planning policies
- Regional Transportation Planning Organization (RTPO) certification process
- External Consistency Provision (36.70A.100)



Consistency: planning and regulatory provisions are compatible, fit together, and do not thwart each other.

Current Practice – How Do Local Jurisdictions Address State-Owned Transportation Facilities?

- Information about state-owned transportation facilities and services is not consistently included in local comprehensive plans
- Transportation facilities and services of statewide significance are specifically exempted from concurrency requirements
- Most jurisdictions do not address concurrency for state-owned transportation facilities and services that are not designated “of statewide significance”
- Some project impacts are addressed through the State Environmental Policy Act (SEPA)

How Does the State Participate in the Local Land Use Process?

Methods of Participation:

- Guidance
- Informal Cooperation
- Review and Comment
- Intergovernmental Agreement
- Joint Planning
- Grant Funding
- Appeal Process

RTPO
Transportation
Policy Board

RTPO
Guidelines
and Principles

Regional
Transportation
Plan *

Transportation
Improvement
Program



Countywide
Planning
Policies

Comprehensive
Plan

Development
Regulations

Permit
Decisions
(SEPA)

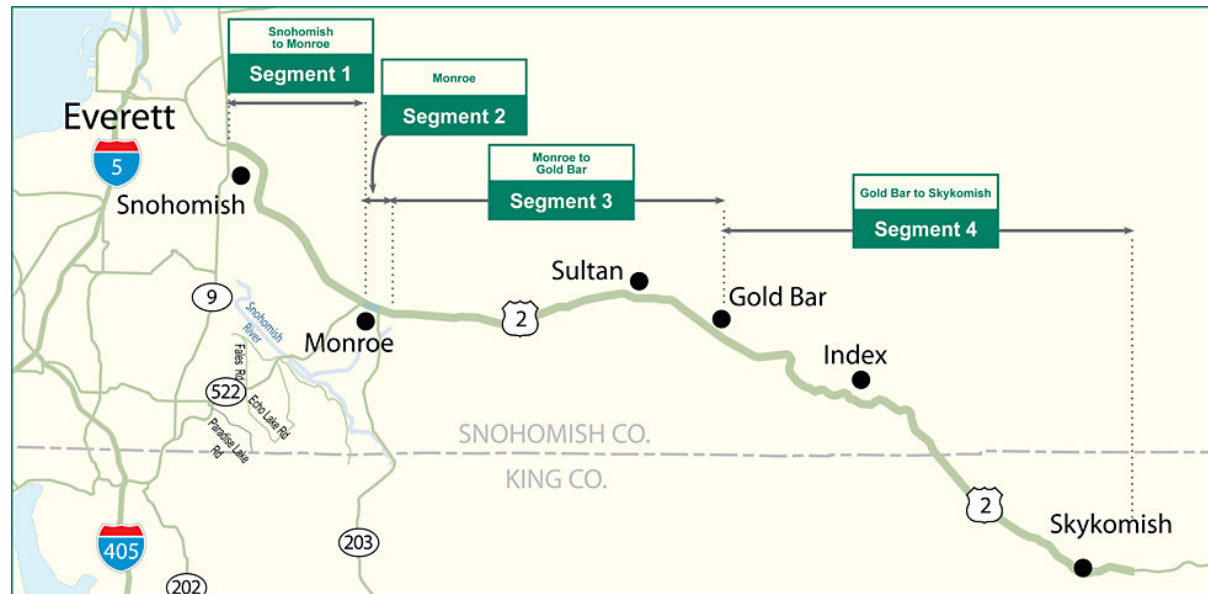
* Including LOS for non-HSS state-owned facilities

Issues Related to Current Practices

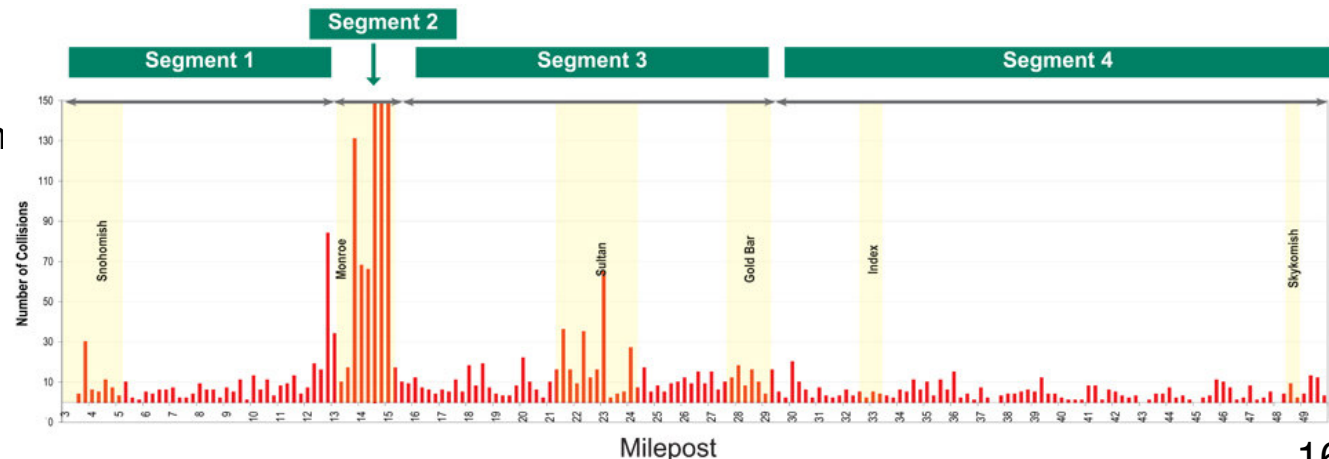
- Some jurisdictions don't implement concurrency
- Jurisdictions implement concurrency in very different ways (different thresholds, methodologies, and geographic tailoring)
- Concurrency systems do not always impact development
- A minimal amount of concurrency coordination among jurisdictions is occurring
- Development related fees or assessments account for a relatively small percentage of local transportation improvement costs
- Concurrency may contribute to inefficient land use patterns like sprawl and leapfrogging
- Inadequate local system capacity may push traffic onto state and regional systems ("dumping")

Preliminary Example - US 2

- \$1.3 million Route Development Plan initiated in November, 2005 to address safety and mobility concerns
- Between 1999 and March 2006, there have been over 2,500 collisions in the study area including 33 fatalities
- Since 1993, WSDOT has invested \$36 million towards the maintenance and preservation of roadways in the study area



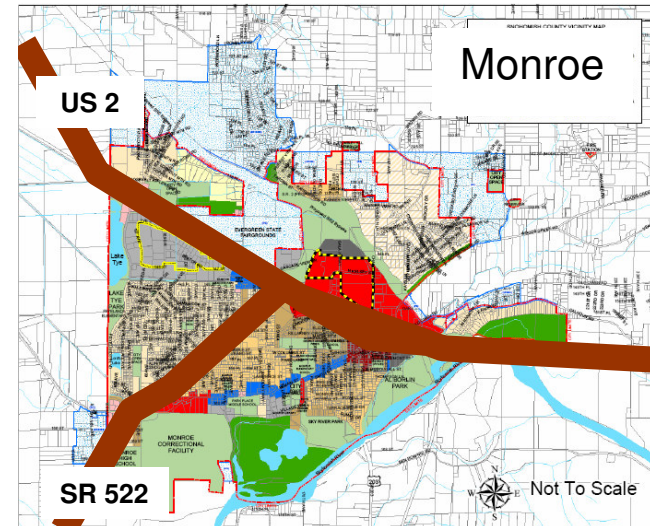
Number of Collisions on US 2, 1/99-2/06



US 2 in Monroe

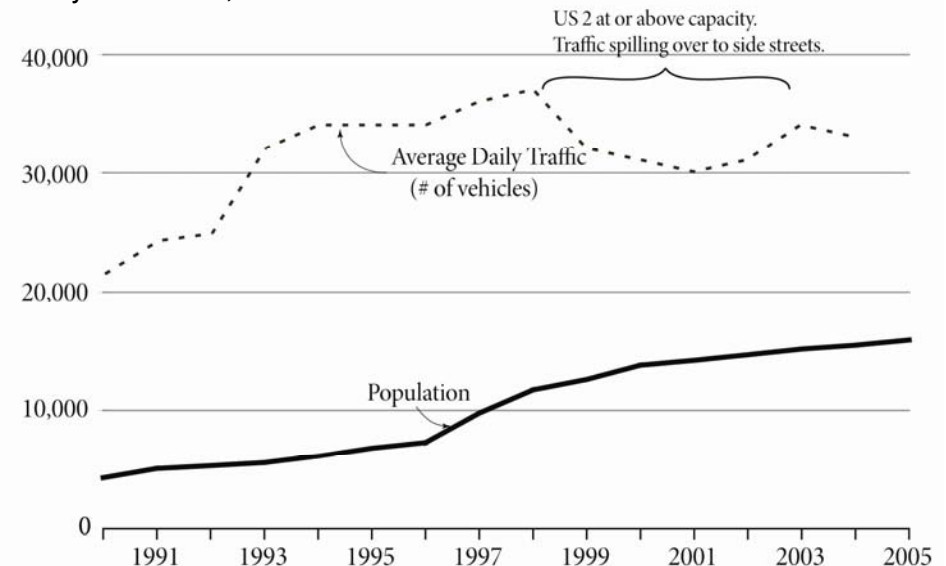
What are the Problems?

- US 2 lined with urban development including multiple stoplights and access points restricting traffic flow
- Intersection with SR 522, a major commuting route to Seattle, cannot handle current traffic volumes
- Since 1990, Monroe's population almost quadrupled from 4,200 to 16,000
- Average daily traffic has increased over 54% resulting in traffic diversion onto local roadways and even through parking lots to avoid congestion
- From 1999-2005, there have been 1,110 collisions.
- Collision rates are significantly higher than the statewide average



Population and Average Daily Traffic on US 2

City of Monroe, 1999-2005



Source: WSDOT NW Region Office and Office of Financial Management

US 2 in Monroe, Considerations for Analysis

- To what extent did Monroe's comprehensive plan and development regulations address state-owned facilities and how did the RTPOs, CTED and WSDOT participate in their development?
- To what extent was WSDOT's interlocal agreement with Monroe to mitigate development impacts to the highways through SEPA successful. The preliminary analysis indicates that since 2000:
 - Fees have been collected for a US 2 bypass as well as SR 522 improvements
 - Developments that generated 25 peak hour trips to a state highway intersection with LOS "C" or greater were required to perform traffic analyses
 - \$239 per average daily trip generated was collected for the US 2 bypass
 - 31% of all traffic mitigation fees collected in Monroe went to WSDOT for the US 2 bypass and SR 522 improvements
 - WSDOT has collected \$299,820 for a potential US 2 bypass
 - US 2 bypass fees collected over the last five years amount to 0.1% of the \$200 million estimated project cost

Conclusion

What Are the Analysis Products?

- An analysis of the impacts of expanding the concurrency requirement to include state highways and ferry routes.
- An inventory of tools that exist within the current legal framework to address development impacts on state highways.
- A summary of other policy options that exist outside of the current legal framework to address development impacts on state highways.

Recommendations and Considerations

- An analysis of the advantages and disadvantages of expanding concurrency to state-owned facilities compared to other administrative and policy options for better achieving the GMA concurrency goal for state highways and ferry routes.